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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/694,726

10/29/2003

Kou Yamamoto

XA-9964

4017

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7590

11/07/2005

MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

GOODEN JR, BARRY J

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,726

Applicant(s)

YAMAMOTO, KOU

Examiner

Barry J. Gooden Jr.

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/29/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

Figure 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities:

In the abstract of the disclosure, line 2 the term "contractable" should be replaced with "contractible".

Throughout the specification the term "contractable" should be replaced with "contractible". (e.g. page 1, lines 2 and 20; page 2, line 1; page 4, line 21; page 7, line 8; page 10, lines 1, 6, and 13; page 11, line 7; and page 14, line 16)

At page 5, line 24 "an" should be replaced with "a".

At page 18, lines 3 and 24 "an" should be replaced with "a".

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Appropriate correction is required.

3. Claim 1 is objected to because of the following informalities:

At line 2 the term "contractable" should be replaced with "contractible".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese reference 2588338 cited by applicant.

In regards to claim 1, Japanese reference 2588338 cited by the applicant shows an extendable and contractible steering column apparatus including an outer column (20) through which an inner column (22) is slidably inserted, a lock housing portion is formed on the outer column (20). Japanese reference 2588338 cited by applicant also shows a locking mechanism that includes a pair of movable pieces (27 and 25, 34) slidably fitted within a cylinder bore (24) formed in the lock housing portion to shift the pair of movable pieces (27 and 25, 34) toward each other so as to release the pressure on the inner column (22), in response to swinging of an operating lever (36). The locking mechanism comprised of a threaded screw hole (34) in a first movable piece (25, 34), a through-hole (30) formed in a second movable piece (27), and a screw rod (31 and 35). The screw rod (31 and 35) having a threaded portion (32) inserted through the through-hole (30) of the second movable piece (27) and threaded in the threaded screw hole (34) of the first movable piece (25, 34) and a head portion (35) in contact with an end surface of the second movable piece (27) to which a base end portion (36) of the operating lever (36) is fixed.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference 2588338 cited by applicant.

In regards to claim 1, figure 4 of Japanese reference 2588338 cited by the applicant shows an extendable and contractible steering column apparatus including an outer column (20) through which an inner column (22) is slidably inserted, a lock housing portion is formed on the outer column (20).

Japanese reference 2588338 cited by applicant also shows a locking mechanism that includes a pair of movable pieces (27 and 25) slidably fitted within a cylinder bore (24) formed in the lock housing portion to shift the pair of movable pieces (27 and 25) toward each other so as to release the pressure on the inner column (22), in response to swinging of an operating lever (36). The locking mechanism comprised of a through-hole (30) formed in a second movable piece (27), and a screw rod (31 and 36). The screw rod (31 and 36) having a threaded portion (32) inserted through the through-hole (30) of the second movable piece (27) and a head portion (36) in contact with an end surface of the second movable piece (27) to which a base end portion (36) of the operating lever (36) is fixed.

Although it is not explicitly shown, the Japanese reference 2588338 cited by the applicant appears to show a threaded screw hole (29 or 32) in the first movable piece (25). Further as no other form of connection is shown, it would follow that the hole is threaded. Nevertheless, It would have been obvious to one having ordinary skill in the art at the time of invention to modify the first movable piece (25) of the Japanese reference 2588338 cited by the applicant to include the threaded screw hole in the first movable piece so as to provide a means of connection and to effectively secure the pieces together.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujiu and Sato et al. disclose similar inventions.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barry J Gooden Jr.
Examiner
Art Unit 3616

BJG


PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600